

SEVENTY-FIFTH DAY

(Continued)

(Wednesday, May 26, 1971)

After Recess

The Senate met at 9:00 o'clock a.m. and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

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|------------|----------|
| Aikin | Jordan |
| Bates | Kennard |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Schwartz |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |
| Hightower | |

Reverend W. H. Townsend, Chaplain, offered the invocation.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 138, To Committee on Commerce and Industry.

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

H. B. No. 653 (Floor report).

By unanimous consent, Senator Kennard submitted the following reports for the Committee on Public Health:

H. B. No. 1482.

H. B. No. 1649.

By unanimous consent, Senator Mauzy submitted the following reports for the Committee on Education:

H. B. No. 474 (Amended).

H. B. No. 1064.

By unanimous consent, Senator Brooks submitted the following re-

port for the Committee on State Departments and Institutions:

H. B. No. 909.

House Bill 653 Ordered Not Printed

On motion of Senator Blanchard and by unanimous consent, H. B. No. 653 was ordered not printed.

Message From the House

Hall of the House of Representatives

Austin, Texas,

May 26, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1316, A bill to be entitled "An Act defining the term 'Eligible Junior College District'; authorizing the annexation of territory by Eligible Junior College Districts under certain circumstances; etc.; and declaring an emergency."

H. B. No. 1584, A bill to be entitled "An Act amending Statutes relating to defining certain deceptive practices in the conduct of any trade or commerce, by amending Subsection (12); and declaring an emergency."

H. B. No. 1824, A bill to be entitled "An Act creating Montgomery County Municipal Utility District No. 6; etc.; and declaring an emergency."

S. C. R. No. 8, Authorizing and directing the Interagency Natural Resources Council to promote interagency cooperation and coordination with regard to land use, pollution control and other problems in the Coastal Zone; etc.

(With amendments.)

S. C. R. No. 104, Granting George Schaefer permission to sue the State of Texas.

S. C. R. No. 105, Granting Gordon Carlson permission to sue the State of Texas.

S. C. R. No. 106, Granting William J. Moltz, Jr., permission to sue the State of Texas.

S. C. R. No. 107, Granting Fred E. Geiger permission to sue the State.

S. C. R. No. 109, Granting Howard C. Anderson permission to sue the State.

S. C. R. No. 110, Granting Ivan Stout permission to sue the State.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committees

By unanimous consent, Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 1825.

H. B. No. 1823.

H. B. No. 1729.

H. B. No. 1728.

H. B. No. 1727.

H. B. No. 587.

H. B. No. 1179.

H. B. No. 471.

H. B. No. 1751.

H. B. No. 1732.

H. B. No. 1730.

H. B. No. 1653.

H. B. No. 1652.

H. B. No. 1186.

H. B. No. 1145.

H. B. No. 842.

H. B. No. 1692.

By unanimous consent, Senator Mauzy submitted the following report for the Committee on Education:

C. S. H. B. No. 1009 (Read first time).

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 1780.

H. B. No. 1166.

H. B. No. 1165.

H. B. No. 1882.

By unanimous consent, Senator Bridges submitted the following re-

port for the Committee on Commerce and Industry:

H. B. No. 138.

By unanimous consent, Senator Connally submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 1616.

By unanimous consent, Senator Bates submitted the following reports for the Committee on Transportation:

H. B. No. 1716.

C. S. H. B. No. 6 (Read first time).

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs.

H. B. No. 1441 (Floor report).

By unanimous consent, Senator Herring submitted the following report for the Committee on Jurisprudence:

H. B. No. 1650.

House Bill 1482 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent, H. B. No. 1482 was ordered not printed.

House Bill 474 Ordered Not Printed

On motion of Senator Herring and by unanimous consent, H. B. No. 474 was ordered not printed.

House Bill 1064 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, H. B. No. 1064 was ordered not printed.

House Bill 909 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, H. B. No. 909 was ordered not printed.

House Bill 1609 Ordered Not Printed

On motion of Senator Moore and by unanimous consent, H. B. No. 1609 was ordered not printed.

House Bill 1757 Ordered Not Printed

On motion of Senator Moore and by unanimous consent, H. B. No. 1757 was ordered not printed.

House Bill 1860 Ordered Not Printed

On motion of Senator Moore and by unanimous consent, H. B. No. 1860 was ordered not printed.

House Bill 1780 Ordered Not Printed

On motion of Senator Sherman and by unanimous consent, H. B. No. 1780 was ordered not printed.

House Bill 138 Ordered Not Printed

On motion of Senator Herring and by unanimous consent, H. B. No. 138 was ordered not printed.

House Bill 1716 Ordered Not Printed

On motion of Senator Blanchard and by unanimous consent, H. B. No. 1716 was ordered not printed.

Committee Substitute**House Bill 1009 Ordered Not Printed**

On motion of Senator Herring and by unanimous consent, C. S. H. B. No. 1009 was ordered not printed.

House Bill 1441 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent, H. B. No. 1441 was ordered not printed.

House Bill 1650 Ordered Not Printed

On motion of Senator Herring and by unanimous consent, H. B. No. 1650 was ordered not printed.

House Bill 842 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent, H. B. No. 842 was ordered not printed.

House Bill 1882 Ordered Not Printed

On motion of Senator Connally and by unanimous consent, H. B. No. 1882 was ordered not printed.

House Bill 1616 Ordered Not Printed

On motion of Senator Connally and by unanimous consent, H. B. No. 1616 was ordered not printed.

Bill Removed From Local and Uncontested Bills Calendar

On motion of Senators Mauzy, Snelson and Wallace H. B. No. 1176 was removed from the Local and Uncontested Bills Calendar.

Bills Removed from Local and Uncontested Bills Calendar

On motion of Senators Blanchard, Creighton and Connally, H. B. No. 1254, H. B. No. 1733 and H. B. No. 40 were removed from the Local and Uncontested Bills Calendar.

Bill Added to Local and Uncontested Bills Calendar

On motion of Senator Blanchard and by unanimous consent, H. B. No. 653 was added to the Local and Uncontested Bills Calendar.

Bills Added to Local and Uncontested Bills Calendar

On motion of Senators Blanchard, Creighton and Connally, H. B. No. 1254 and H. B. No. 40 were added to the Local and Uncontested Bills Calendar.

Bills Added to Local and Uncontested Bills Calendar

On motion of Senator Hall for the Local and Uncontested Bills Calendar Committee and by unanimous consent, S. B. No. 581, H. B. No. 1616, H. B. No. 1882, H. B. No. 703, H. B. No. 842, H. B. No. 1779, H. B. No. 519, H. B. No. 1810, and H. B. No. 1064 were added to the Local and Uncontested Bills Calendar.

Committee on Public Health Granted Permission to Meet While Senate In Session

On motion of Senator Kennard and by unanimous consent, the Committee on Public Health was granted permission to meet while the Senate was in Session.

Bill and Resolutions Signed

The President Pro Tempore announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

S. B. No. 294.

S. C. R. No. 117.

S. C. R. No. 115.

Senate Resolution 1365

Senator Mauzy offered the following resolution:

Whereas, It is a privilege for the Senate of Texas to commend Mike Mc-

Kool, Jr., on the occasion of his graduation from Notre Dame University; and

Whereas, Mike earned his degree in Social Anthropology and will return to Texas where he will enter the University of Texas Law School; and

Whereas, This outstanding young man graduated magna cum laude and was selected for Phi Beta Kappa; he was named a Notre Dame Scholar and received special recognition for excellence in debate and in anthropological studies; and

Whereas, Mike's proud parents are Senator and Mrs. Mike McKool of Dallas; he is happily married to his lovely wife, Patty; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature congratulate Mike McKool, Jr., on the completion of his studies at Notre Dame University, and for the special recognition he has received in the pursuit of his degree; and be it further

Resolved, That copies of this Resolution, under the seal of the Senate, be prepared for him and his family as a memento of this occasion.

The resolution was read and was adopted.

Local and Uncontested Bills Calendar

The President Pro Tempore announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

The following bills were laid before the Senate, read second time, passed to engrossment, read third time and passed: (Sponsor, vote on suspension of Constitutional Three Day Rule and final passage indicated after each bill)

S. B. No. 202 (Hall) (31-0) (31-0)
 S. B. No. 203 (Hall) (31-0) (31-0)
 S. B. No. 204 (Hall) (31-0) (31-0)
 S. B. No. 205 (Hall) (31-0) (31-0)
 S. B. No. 206 (Hall) (31-0) (31-0)
 S. B. No. 209 (Hall) (31-0) (31-0)
 S. B. No. 581 (Brooks) (31-0) (31-0)
 S. B. No. 855 (Hall) (31-0) (31-0)
 S. B. No. 952 (Brooks) (31-0) (31-0)

S. B. No. 1011 (Hall) (31-0) (31-0)

S. B. No. 1032 (Hall) (31-0) (31-0)

S. B. No. 1039 (Schwartz) (31-0) (31-0)

S. C. R. No. 51 (Hall) (VV)

S. C. R. No. 83 (Mauzy) (VV)

H. B. No. 26 (Hall) (31-0) (31-0)

H. B. No. 40 (Bridges) (30-1)
 Creighton "Nay" (30-1) Creighton "Nay"

H. B. No. 202 (Hightower) (31-0) (31-0)

H. B. No. 243 (Bates) (31-0) (31-0)

H. B. No. 339 (Christie) (31-0) (31-0)

H. B. No. 426 (Ratliff) (31-0) (31-0)

H. B. No. 458 (Creighton) (31-0) (31-0)

H. B. No. 519 (Bates) (31-0) (31-0)

H. B. No. 521 (Sherman) (31-0) (31-0)

H. B. No. 611 (Wallace) (31-0) (31-0)

H. B. No. 626 (Hall) (31-0) (31-0)

H. B. No. 651 (Snelson) (31-0) (31-0)

H. B. No. 653 (Blanchard) (31-0) (31-0)

H. B. No. 703 (Creighton) (31-0) (31-0)

H. B. No. 733 (Herring) (31-0) (31-0)

H. B. No. 840 (Bates) (31-0) (31-0)

H. B. No. 842 (Creighton) (31-0) (31-0)

H. B. No. 857 (Aikin) (31-0) (VV)

H. B. No. 862 (Christie) (31-0) (31-0)

H. B. No. 883 (Harris) (31-0) (31-0)

H. B. No. 887 (Bernal) (31-0) (31-0)

H. B. No. 910 (Bridges) (31-0) (31-0)

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|---|---|
| H. B. No. 918 (Moore) (31-0) (31-0) | H. B. No. 1472 (Bates) (31-0) (31-0) |
| H. B. No. 967 (Connally) (31-0) (31-0) | H. B. No. 1489 (Hightower) (31-0) (31-0) |
| H. B. No. 968 (Brooks) (31-0) (31-0) | H. B. No. 1510 (Bates) (31-0) (31-0) |
| H. B. No. 995 (Bernal) (31-0) (31-0) | H. B. No. 1541 (Creighton) (31-0) (31-0) |
| H. B. No. 1002 (Kennard) (31-0) (31-0) | H. B. No. 1605 (Beckworth) (31-0) (31-0) |
| H. B. No. 1006 (Mauzy) (31-0) (31-0) | H. B. No. 1609 (Moore) (31-0) (31-0) |
| H. B. No. 1019 (Mauzy) (31-0) (31-0) | H. B. No. 1616 (Connally) (31-0) (31-0) |
| H. B. No. 1040 (Wallace) (31-0) (31-0) | H. B. No. 1635 (Connally) (31-0) (31-0) |
| H. B. No. 1053 (Ratliff) (31-0) (31-0) | H. B. No. 1640 (Jordan) (31-0) (31-0) |
| H. B. No. 1062 (Ratliff) (31-0) (31-0) | H. B. No. 1661 (Brooks) (31-0) (31-0) |
| H. B. No. 1064 (Hall) (31-0) (31-0) | H. B. No. 1689 (Wallace) (31-0) (31-0) |
| H. B. No. 1069 (Hightower) (31-0) (31-0) | H. B. No. 1699 (Wallace) (31-0) (31-0) |
| H. B. No. 1131 (Wallace) (31-0) (31-0) | H. B. No. 1700 (Wallace) (31-0) (31-0) |
| H. B. No. 1152 (Moore) (31-0) (31-0) | H. B. No. 1702 (Brooks) (31-0) (31-0) |
| H. B. No. 1154 (Moore) (31-0) (31-0) | H. B. No. 1708 (Bridges) (31-0) (31-0) |
| H. B. No. 1188 (Wallace) (31-0) (31-0) | H. B. No. 1725 (Moore) (31-0) (31-0) |
| H. B. No. 1254 (Bernal) (30-1) Creighton "Nay" (30-1) Creighton "Nay" | H. B. No. 1726 (Moore) 31-0 (31-0) |
| H. B. No. 1287 (Hightower) (31-0) (31-0) | H. B. No. 1731 (Moore) (31-0) (31-0) |
| H. B. No. 1297 (Beckworth) (31-0) (31-0) | H. B. No. 1734 (Bates) (31-0) (31-0) |
| H. B. No. 1325 (Bates) (31-0) (31-0) | H. B. No. 1743 (Schwartz) (31-0) (31-0) |
| H. B. No. 1385 (Brooks) (31-0) (31-0) | H. B. No. 1755 (Sherman) (31-0) (31-0) |
| H. B. No. 1390 (Herring) (31-0) (31-0) | H. B. No. 1757 (Moore) (31-0) (31-0) |
| H. B. No. 1391 (Herring) 31-0 (31-0) | H. B. No. 1771 (Beckworth) (31-0) (31-0) |
| H. B. No. 1412 (Creighton) (31-0) (31-0) | H. B. No. 1772 (Aikin) (31-0) (31-0) |

H. B. No. 1774 (Wallace) (31-0)
(31-0)

H. B. No. 1777 (Harrington) (31-0)
(31-0)

H. B. No. 1779 (Kothmann) (31-0)
(31-0)

H. B. No. 1780 (Sherman) (31-0)
(31-0)

H. B. No. 1782 (Snelson) (31-0)
(31-0)

H. B. No. 1789 (Ratliff) (31-0)
(31-0)

H. B. No. 1792 (Bates) (30-1)
(30-1) Snelson "Nay"

H. B. No. 1794 (Schwartz) (31-0)
(31-0)

H. B. No. 1796 (Wilson) (31-0)
(31-0)

H. B. No. 1798 (Wilson) (31-0)
(31-0)

H. B. No. 1799 (Connally) (31-0)
(31-0)

H. B. No. 1810 (Watson) (31-0)
(31-0)

H. B. No. 1831 (Beckworth) (31-0)
(31-0)

H. B. No. 1832 (Bridges) (31-0)
(31-0)

H. B. No. 1836 (Brooks) (31-0)
(31-0)

H. B. No. 1837 (Brooks) (31-0)
(31-0)

H. B. No. 1838 (Schwartz) (31-0)
(31-0)

H. B. No. 1842 (Brooks) (31-0)
(31-0)

H. B. No. 1846 (Harrington) (31-0)
(31-0)

H. B. No. 1856 (Schwartz) (31-0)
(31-0)

H. B. No. 1860 (Moore) (31-0)
(31-0)

H. B. No. 1861 (Ratliff) (31-0)
(31-0)

H. B. No. 1862 (Sherman) (31-0)
(31-0)

H. B. No. 1867 (Snelson) (31-0)
(31-0)

H. B. No. 1873 (Ratliff) (31-0)
(31-0)

H. B. No. 1882 (Connally) (31-0)
(31-0)

H. C. R. No. 31 (Herring) (VV)

H. C. R. No. 48 (Herring) (VV)

H. C. R. No. 54 (Herring) (VV)

H. C. R. No. 57 (Herring) (VV)

H. C. R. No. 66 (Herring) (VV)

H. C. R. No. 69 (Herring) (VV)

H. C. R. No. 73 (Herring) (VV)

H. C. R. No. 85 (Herring) (VV)

H. C. R. No. 101 (Herring) (VV)

H. C. R. No. 127 (Herring) (VV)

H. C. R. No. 141 (Herring) (VV)

H. C. R. No. 145 (Herring) (VV)

H. C. R. No. 147 (Herring) (VV)

The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment(s) printed following bill number, as well as vote on suspension of Constitutional Three Day Rule and final passage)

H. B. No. 267 (Wallace)—

Senator Wallace offered the following Committee Amendment to the bill:

Amend H. B. No. 267, First Printing, by changing Section 2 to read as follows:

Section 2. Subsection (b), Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"(b) Any person who sells or delivers or offers to sell or deliver in violation of this Act any dangerous drug defined in this Act, shall be guilty of a felony and upon conviction is punishable by confinement in the penitentiary for not less than two (2) nor more than ten (10) years. Proof of an offer to sell must be corroborated by a person other than the offeree or by evidence other than a statement of the offeree."

The Committee Amendment was read and was adopted.

On motion of Senator Wallace and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0).

H. B. No. 268 (Wallace)—

Senator Wallace offered the following Committee Amendment to the bill:

Amend H. B. No. 268, First Printing, by changing Section 1 to read as follows:

Section 1. Subsection (a), Section 2, Chapter 169, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 725b, Vernon's Texas Penal Code), is amended to read as follows:

"(a) It shall be unlawful for any person to manufacture, possess, have, control, sell, prescribe, administer, dispense, compound, offer to sell, or offer to buy any narcotic drug. Proof of an offer to sell must be corroborated by a person other than the offeree or by evidence other than a statement of the offeree."

The Committee Amendment was read and was adopted.

On motion of Senator Wallace and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0).

H. B. No. 335 (Hightower)—

Senator Hightower offered the following Committee Amendment to the bill:

Amend H. B. No. 335 by striking Sec. F and all thereafter and entering in lieu thereof the following:

"(f) This Act shall be applicable only to trusts created after the effective date of the Texas Trust Act, and shall not be construed to have any effect on trusts created prior to the effective date of the Texas Trust Act, Acts 1943, 48th Legislature, Page 232, Chapter 148. No provision of this Act shall be construed to alter the intent of any testator or testatrix as expressed in any testamentary instrument whether executed before or after the effective date of such Texas Trust Act and this Act."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three

several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was read and was adopted.

On motion of Senator Hightower and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0).

H. B. No. 690 (Hall)—

Senator Bernal offered the following amendment to the bill:

Amend H. B. No. 690 by striking all below the enacting clause and inserting the following:

Section 1. Subsection (b), Section 16.76, Texas Education Code, as amended, is amended to read as follows:

"(b) In any district containing state university-owned land, state-owned prison land, land in one or more parcels comprising a total area in excess of 7,000 acres used for municipal cooling lakes in the generation of electricity in counties having a population of more than 700,000 according to the last preceding federal census, federal-owned forestry land, federal-owned reservoirs, federal-owned recreation areas, federal-owned military reservations, or federal-owned Indian reservations, the amount assigned to a school district shall be reduced in the proportion that the area included in the above named classification bears to the total area of the district. For purposes hereof, state university owned land is defined to mean and include also state-owned land located in Brazos County and devoted to the use of Texas A&M University and land owned by East Texas State University in Hunt County and land owned by Pan American University.

Section 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

On motion of Senator Hall and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0).

S. B. No. 858 (Hall)—

Senator Hall offered the following Committee Amendment to the bill:

Amend S. B. No. 858 by inserting, between the words "shown" and "shall" in the first sentence of Section 1, the following:

", and such is done for the purpose of deceiving a purchaser,"

The Committee Amendment was read and was adopted.

On motion of Senator Hall and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0).

H. C. R. No. 134 (Herring)—

Senator Herring offered the following Committee Amendment to the resolution:

Amend H. C. R. 134 by striking the words "National Marine Service, Inc." as they appear in the second and third paragraph of the first page of said Resolution and substituting therefor the words "National Marine Service Incorporated".

The Committee Amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent, the caption was amended to conform to the body of the resolution as amended (VV).

Conclusion of Session for Consideration of Local and Uncontested Bills Calendar

The President Pro Tempore announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

At Ease

The President Pro Tempore announced at 11:25 o'clock a.m. the Senate would stand At Ease subject to Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 11:30 o'clock a.m.

House Bill 685 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 685, A bill to be entitled "An Act amending the employers' liability and workmen's compensation laws of this state; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

(Senator Harrington in Chair.)

House Bill 685 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 685 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Brooks | McKool |
| Connally | Patman |
| Creighton | Ratliff |
| Grover | Snelson |
| Harrington | Wallace |
| Harris | Watson |
| Herring | Word |

Absent

| | |
|----------|---------|
| Bridges | Sherman |
| Christie | Wilson |
| Hall | |

Absent—Excused

| | |
|-------|----------|
| Moore | Schwartz |
|-------|----------|

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 26, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendment to House Bill No. 955 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. Conferees: Shannon, Chairman; Moncrief, Sherman, McKissack, Slack.

H. B. No. 234, A bill to be entitled "An Act amending Acts 1961, Fifty-seventh Legislature, page 654, Chapter 303, known and cited as the "Legislative Reorganization Act of 1961," to provide statutory authorization for a system of seniority adopted by either House of the Legislature, and providing continuity for such seniority system once adopted; authorizing each House of the Legislature to provide for the conduct of committee work through the use of subcommittees, and granting to such subcommittees similar powers to those authorized to standing committees; authorizing the filing of bills and resolutions in advance of the convening of the Legislature and prescribing procedures in connection with such pre-filing; providing severability; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 605, A bill to be entitled "An Act amending Article 1722a, Texas Penal Code, as last amended by Chapter 180, Acts of the 61st Legislature, Regular Session, 1969, to provide for the registration of all motorboats; establish fees; establish numbering specifics; provide for safety equipment on all watercraft; clarify enforcement procedures; provide for markers on public waters; provide for the acceptance of federal grants; and declaring an emergency."

H. B. No. 777, A bill to be entitled "An Act relating to the establishment of a Division of Early Childhood Education within the State Department of Education; providing for the certification of personnel in the field of early childhood education; amending Subchapter E, Chapter 11, Texas Education Code, by adding Section 11.64; and declaring an emergency."

H. B. No. 897, A bill to be entitled "An Act relating to the authority of the Texas Water Quality Board to declare certain products ecological con-

taminants and to take appropriate action; amending Section 1.03 of Subchapter A, and Subchapter C, Texas Water Quality Act, as amended (Article 7621d-1, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1265, A bill to be entitled "An Act in relation to a bank as custodian employed by a fiduciary and to property held by such custodian; and declaring an emergency."

H. B. No. 1491, A bill to be entitled "An Act authorizing further issuance of Two Hundred Million Dollars (\$200,000,000) in Texas Water Development Bonds; providing for the use of the proceeds from the sale of such bonds; amending Section 4 of Chapter 425, Acts of the 55th Legislature, Regular Session, 1955, as last amended by Chapter 126, Acts of the 61st Legislature, Regular Session, 1969, as codified in Article 8280-9, Section 4 of Vernon's Texas Civil Statutes; increasing the amount of the Texas Water Development Fund; and declaring an emergency."

H. B. No. 1642, A bill to be entitled "An Act relating to Harris County Water Control and Improvement District No. 140 of Harris County, Texas; finding benefits to the land and other property in the district; granting the district additional rights, powers, privileges and duties; providing that no confirmation election shall be required, providing that all taxes levied by the district will be on the ad valorem basis; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing procedures for annexing land to the District; providing that no hearing on the basis of taxation shall be required of the district and that no exclusion hearing shall be required; requiring supervision by the Texas Water Rights Commission; requiring the district to establish one or more offices and meeting places; providing for the selection of depositories; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that the district shall bear the sole expense of the relocation of certain facilities; validating the creation of the District and all governmental acts and proceedings of the district; containing other provi-

sions relating to the subject; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency."

H. B. No. 1687, A bill to be entitled "An Act relating to the authority of certain counties having a population of not less than 49,400 nor more than 52,000, according to the last preceding federal census, to employ a county engineer; providing certain duties for the county engineer and the commissioners court; providing for a master plan; providing for inspection and approval of certain plats; providing for the employment of assistants for the county engineer; and providing an emergency."

H. B. No. 1695, A bill to be entitled "An Act relating to Harris County Water Control and Improvement District No. 129 of Harris County, Texas; etc.; and declaring an emergency."

H. B. No. 1833, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as Tamina Utility District; etc.; and declaring an emergency."

H. B. No. 1835, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Chambers County, Texas, to be known as Cedar Bayou Municipal Utility District of Chambers County, Texas; etc., and declaring an emergency."

H. B. No. 1863, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Montgomery County, Texas, to be known as Montgomery County Municipal Utility District No. 9; etc.; and declaring an emergency."

H. J. R. No. 68, Proposing an amendment to Article XVII, Section 1, Constitution of the State of Texas, revising provisions of the time and method of proposing amendments to the state constitution and the time and method of publishing notice of proposed amendments.

H. C. R. No. 128, Creating a special Interim Committee to study the feasibility of establishing facilities

in Texas for desalinization of salt water for agricultural, industrial, and personal consumption in the state.

H. C. R. No. 130, Creating the Committee on State and Local Tax Policy.

H. C. R. No. 136, Creating a special interim committee to study the feasibility and advisability of locating nuclear power plants in the State of Texas.

H. C. R. No. 153, Creating a joint interim Water Resources and Land Use Study Committee.

H. C. R. No. 154, Recommending continuation of the work of the Committee on Faculty Compensation in the area of college and university faculty fringe benefits.

H. C. R. No. 171, Granting permission to Southwest Region Council of YMCAs for use of the Capitol.

H. C. R. No. 172, Commending Mrs. E. D. (Savannah Cross) Lockey of Troup, Texas.

H. C. R. No. 175, Directing the Enrolling Clerk of the House to correct the caption and Section 1 of the enrolled copy of House Bill No. 1081.

H. C. R. No. 169, In memory of Neal Clark of Gladewater, Texas.

S. B. No. 814, A bill to be entitled "An Act relating to the salaries of certain officials in certain counties; amending Sections 2 and 3, Chapter 34, Acts of the 61st Legislature, Second Called Session, 1969 (Article 3912e-24, Vernon's Texas Civil Statutes); and declaring an emergency." (With amendments).

The House has concurred in Senate amendments to House Bill No. 893 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1787 by vote of 144 Ayes, 0 Noes.

The House has adopted the Conference Committee Report on House Bill No. 314 by a vote of 118 Ayes, 24 Noes.

S. C. R. No. 9, Authorizing and directing the Interagency Natural Resources Council in its Coastal Resources Management Program to conduct certain important environmental, legal and economic investigations re-

lating to the protection, conservation and development of Texas' coastal resources and the control environment.
(With amendments).

S. C. R. No. 102, That the fixed policy of this State shall be that the State of Texas shall carry its own insurance on University of Texas System buildings, etc.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Leaves of Absence

Senator Schwartz was granted leave of absence for the remainder of today on account of important business on motion of Senator Aikin.

Senator Moore was granted leave of absence for the remainder of today on account of illness on motion of Senator Aikin.

House Bill 686 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 686, A bill to be entitled "An Act amending the employers' liability and workmen's compensation laws of this state; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 686 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 686 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

| | |
|-----------|------------|
| Aikin | Hall |
| Bates | Harrington |
| Beckworth | Harris |
| Bernal | Herring |
| Blanchard | Hightower |
| Brooks | Jordan |
| Connally | Kennard |
| Creighton | Kothmann |
| Grover | Mauzy |

| | |
|---------|---------|
| McKool | Wallace |
| Patman | Watson |
| Ratliff | Wilson |
| Snelson | Word |

Absent

| | |
|----------|---------|
| Bridges | Sherman |
| Christie | |

Absent—Excused

| | |
|-------|----------|
| Moore | Schwartz |
|-------|----------|

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Brooks | McKool |
| Connally | Patman |
| Creighton | Ratliff |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent

| | |
|----------|---------|
| Bridges | Sherman |
| Christie | |

Absent—Excused

| | |
|-------|----------|
| Moore | Schwartz |
|-------|----------|

Reports of Standing Committees

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 956 (Floor report).

By unanimous consent, Senator Herring submitted the following report for the Committee on Jurisprudence:

H. B. No. 1034 (Floor report).

Conference Committee Report on Senate Bill 803

Senator Patman submitted the following Conference Committee Report:

Austin, Texas,
May 25, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill 803, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PATMAN
WILSON
WORD
HALL
McKOOL

On the part of the Senate.

CLAYTON
NEUGENT
JUNGMICHEL
TARBOX
MURRAY

On the part of the House.

S. B. No. 803,

A BILL TO BE ENTITLED

An Act to be known as the Act for Development of Employment, Industrial and Health Resources of 1971, relating to the promotion of industrial development, employment, public health and research by certain political subdivisions of the State of Texas; authorizing such subdivisions to acquire certain properties, to issue revenue bonds, and to lease, sell or convey said properties, for the promotion of industrial development, employment, public health and research; providing the procedure to be followed and making certain findings with respect to the need for such facilities; providing for regulation by the Texas Industrial Commission; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. This Act may be cited as the "Act for Development of Employment, Industrial and Health Resources of 1971."

Sec. 2. When used in this Act, unless otherwise apparent from the context:

(a) "City" means any municipality of this State incorporated under the

provisions of (i) any general or special law provided the municipality has the power to levy an ad valorem tax of not less than \$1.50 on each \$100 valuation of taxable property therein, or (ii) the home rule amendment to the Constitution.

(b) "Commission" means the Texas Industrial Commission.

(c) "Cost" as applied to a project or medical project means and embraces the cost of acquisition, including the cost of the acquisition of all land, rights-of-way, property rights, easements and interests acquired for such construction, the cost of all machinery and equipment, financing charges, interest prior to and during construction and for one year after completion of construction, cost of estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenue, other expenses necessary or incident to determining the feasibility and practicability of constructing any such project or medical project, administrative expense and such other expense as may be necessary or incident to the acquisition thereof, the financing of such acquisition and the placing of the same in operation.

(d) "County" means a political subdivision of the State of Texas created and established under Article IX, Section 1, of the Constitution of Texas.

(e) "District" means a conservation and reclamation district established under authority of Article XVI, Section 59 or Article III, Section 52 of the Constitution of Texas.

(f) "Governing body" means the board, council, commission or legislative body of the issuer.

(g) "Issuer" means a city, county or district.

(h) "Lessee" means a corporation established under the Texas Non-Profit Corporation Act that incurs a contractual obligation with an issuer as the lessor.

(i) "Medical project" means the land, buildings, equipment, facilities and improvements (one or more) found by the governing body to be required for public health, research, and medical facilities, any one or all, within this State, irrespective of whether in existence or required to be acquired or constructed after the making of such finding by the governing body.

(j) "Project" means the land, buildings, equipment, facilities and

improvements (one or more) found by the governing body to be required or suitable for the promotion of industrial development and for use by manufacturing or industrial enterprise, irrespective of whether in existence or required to be acquired or constructed after the making of such finding by the governing body.

(k) "Ultimate lessee" means the person, firm, corporation, or company which leases a project or medical project from a lessee.

Sec. 3. Bonds issued under the provisions of this Act shall not be deemed to constitute a debt of the State, the issuer or of any other political subdivision or agency of this State or a pledge of the faith and credit of any of them, but such bonds shall be payable solely from the funds herein provided therefor from revenues. All such revenue bonds shall contain on the face thereof a statement to the effect that neither the State, the issuer or any political subdivision or agency of the State shall be obligated to pay the same or the interest thereon except from revenues of the particular project or medical project for which they are issued and that neither the faith and credit nor the taxing power of the State, the issuer or any political subdivision or agency thereof is pledged to the payment of the principal of or the interest on such bonds. The issuer shall not be authorized to incur financial obligations which cannot be paid from revenues realized from the lease of a project or medical projects.

Sec. 4. (a) In addition to any other powers which it may now have, each issuer shall have without any other authority the following powers:

(1) to acquire, whether by construction, purchase, devise, gift, or lease or any one or more of such methods, one or more medical project or projects, located within this State, and within or partially within its limits, provided that as to a city, such project or medical project may be situated outside its territorial limits if within its extraterritorial jurisdiction as provided by the Municipal Annexation Act;

(2) to lease to a lessee any or all of its projects and medical projects for such rentals and upon such terms and conditions as the governing body may deem advisable and as shall not conflict with the provisions of this Act;

(3) to issue revenue bonds for the purpose of defraying all or part of the cost of acquiring or improving any project or medical project, and to secure the payment of such bonds as provided in this Act;

(4) to sell and convey all or any part of any real or personal property acquired as provided by Subdivision (a) of this section, and make such order respecting the same as may be deemed conducive to the best interest of the issuer. No issuer shall have the power to operate any project as a business or in any manner except as the lessor thereof, nor shall they have any power to acquire any such project, or any part thereof, by the exercise of eminent domain. Land previously acquired by an issuer in the exercise of the power of eminent domain may be sold, leased or otherwise utilized under the provisions of this Act, provided the governing body determines (a) that such use will not interfere with the purpose for which such land was originally acquired or is no longer needed for such purpose, and (b) at least seven years have elapsed since such land was so acquired, and (c) such land was not acquired for park purposes unless such sale or lease of park land has been approved at an election held under authority of Article 1112, Revised Civil Statutes of Texas, 1925, as amended.

Sec. 5. No issuer shall institute proceedings to authorize bonds under the provisions of Section 6(a) or 6(c) until the Commission has given tentative approval to the suggested contents of the lease agreement, and if a lessee is permitted to sublease, the Commission has also tentatively approved the financial responsibility of the ultimate lessee.

The Commission shall prescribe rules and regulations setting forth minimum standards for lease agreements and guidelines with respect to financial responsibilities of the lessee and ultimate lessee, if any, but in no event shall the Commission give final approval to any agreement unless it affirmatively finds the lessee and ultimate lessee have the business experience, financial resources and responsibility to provide reasonable assurance that all bonds and interest thereon to be paid from or by reason of such agreement will be paid as the same become due.

Appeal from any adverse ruling or decision of the Commission under this section may be made by an issuer to the District Court of Travis County. The substantial evidence rule shall apply.

Rules, regulations and guidelines promulgated by the Commission, and amendments thereto, shall be effective only after they have been filed with the Secretary of State.

Sec. 6. (a) Before issuing any bonds hereunder the governing body shall adopt a resolution declaring its intention to do so, stating the amount of bonds proposed to be issued, the purpose for which the bonds are to be issued, and the tentative date upon which the governing body proposes to authorize the issuance of such bonds. Such resolution shall be published once a week for at least two consecutive weeks in at least one newspaper of general circulation in the territorial limits of the issuer. The first publication shall be made not less than 14 days prior to the tentative date fixed in such resolution for the authorization of the bonds. If 10 percent of the qualified electors of the issuer shall file a written protest against the issuance of such bonds on or before the tentative date specified for the authorization of such bonds, then an election on the question of the issuance of such bonds shall be called and held as herein provided.

If no such protest be filed, then such bonds may be issued without an election at any time within a period of two years after the tentative date specified in the resolution; provided, however, the governing body of such issuer, in its discretion, may call an election on such question, in which event it shall not be necessary to publish the notice of its intention to issue bonds.

(b) Where an election is called, notice thereof shall be published once a week for at least two consecutive weeks, in at least one newspaper of general circulation within the territorial limits of the issuer. The first publication of such notice shall be made not less than 14 days prior to the date fixed for such election. The election shall be conducted in accordance with the general laws of Texas pertaining to general elections, except as modified by the provisions of this Act. The order calling the elec-

tion shall specify the date, place or places of holding the election, the presiding judge and alternate judge for each voting place, and shall provide for clerks as provided in the Election Code. Only qualified property tax-paying electors who own taxable property which has been duly rendered for taxation shall be permitted to vote at such election.

The form of ballot shall be in conformity with Sections 61, 62, and 63, Texas Election Code, as amended (Article 6.05, 6.06, 6.07, Vernon's Texas Election Code), so that ballots provide for voting for or against the proposition: "The issuance of revenue bonds for the (medical project or project)."

Within 10 days after such election is held, or as soon thereafter as possible, the governing body of the issuer shall convene and canvass the returns of the election, and in the event such election results are favorable (majority vote) to the propositions such governing body shall so find and declare and shall be (subject to the provisions of Section 5) authorized to proceed with the authorization of bonds.

(c) A series of bonds may be issued for each project or medical project and any of such projects may be combined in a single series of bonds if the governing body, in the exercise of its discretion, deems the same to be in the best interest of the issuer, but each project or medical project shall be considered separately with respect to the provisions of Sections 5, 6(a), 6(b) and 6(c).

(d) Bonds shall be issued and delivered within three years of the tentative approval of the Commission, or within three years of the final judgment in any litigation affecting the validity of the bonds or the provision made for their payment, whichever date is later. Nothing herein shall be construed as prohibiting the Commission from conditioning its approval of the project or medical project upon the completion of the financing thereof within a lesser period of time.

Sec. 7. Each issuer is hereby authorized to provide by resolution, from time to time, for the issuance of revenue bonds for the purpose of paying all or any part of the cost of acquiring, constructing, enlarging or im-

proving a project or medical project, except revenue bonds for a medical project may not be authorized by a district. The principal of and the interest on such bonds shall be payable solely from the funds provided for such payment and from the revenues of the particular project for which such bonds were authorized. The bonds of each issue shall be dated, shall bear interest at such a rate or rates, shall mature at such time or times, not exceeding forty years from their date, as may be determined by the issuer and may be made redeemable before maturity, at the option of the issuer, at such price or prices and under such terms and conditions as may be fixed by the issuer prior to the issuance of the bonds.

The issuer shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within the State. Provision may be made for execution of the bonds and coupons (if any) under the provisions of Chapter 204, Acts of the 57th Legislature, 1961, as amended (Article 717j-1, Vernon's Texas Civil Statutes). In cases where any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until such delivery. The bonds may be issued in coupon or in registered form, or both, as the issuer may determine, and provisions may be made for the registration of any coupon bonds as to the principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. If the duty of such reconversion is imposed on the Trustee in a Trust Agreement the substituted coupon bonds need not be reapproved by the Attorney General of Texas, and they shall remain incontestable. The issuer may sell bonds so the net interest cost (as defined in Chapter 3, Acts of the 61st Legislature, 1969, as amended, Article 717k-2, Vernon's Texas Civil Statutes) shall not exceed

10 percent per annum and such bonds shall be sold to the highest bidder for cash (not exchanged for property).

The proceeds of the bonds of each issue shall be used solely for the payment of the cost of the project or medical project for which issued, and shall be disbursed in such manner and under such restrictions, if any, provided in the resolution authorizing their issuance or in the trust agreement securing the same. If the proceeds of the bonds of any issue shall exceed the cost of the project or medical project for which the same shall have been issued, the surplus shall be deposited to the credit of the sinking fund for such bonds.

Prior to the preparation of definitive bonds, the issuer may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable or definitive bonds when such bonds shall have been executed and are available for delivery. Bonds may be issued under the provisions of this Act without obtaining the consent of any department, division, commission, board, bureau or agency of the State, and without any other proceedings or the happening of any other conditions or things than those proceedings, conditions or things which are specifically required by this Act.

Before any issuer may deliver any bonds authorized hereunder to the purchaser thereof, the proceedings authorizing their issuance and securing the bonds shall be presented to the Attorney General of Texas for examination and approval. If the bonds shall have been duly authorized in accordance with the Constitution and laws of the State and constitute valid and binding obligations of the Authority, according to their tenor and effect, and proper revenues have been pledged to their payment, he shall approve the bonds. Without such approval the bonds cannot be so issued and delivered to the purchaser. The bonds when approved shall be registered by the Comptroller of Public Accounts of the State of Texas. After such approval and registration the bonds shall be incontestable.

Sec. 8. An issuer is hereby authorized to provide by resolution for the issuance of its revenue refunding bonds for the purpose of refunding any bonds then outstanding, issued on account of a project or medical

project, which shall have been issued under the provisions of this Act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the issuer, for the additional purpose of constructing improvements, extensions or enlargements to the project or medical project in connection with which the bonds to be refunded shall have been issued. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties and obligations of the issuer in respect of the same, shall be governed by the provisions of this Act insofar as the same may be applicable. Within the discretion of the issuer the refunding bonds may be issued in exchange for outstanding bonds or may be sold and the proceeds used for the purpose of redeeming outstanding bonds.

Sec. 9. Any bonds issued under the provisions of this Act may be secured by a trust agreement by and between the issuer and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the State. Any such trust agreement may pledge or assign lease revenues to be received from a lessee or ultimate lessee.

The trust agreement may evidence a pledge of the lease income to be received for the use of any project or medical projects for the payment of principal of and interest on such bonds as the same shall become due and payable and may provide to create and maintain reserves for such purposes. Any such trust agreement or any resolution providing for the issuance of such bonds may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the issuer, or lessee in relation to the acquisition of property and the construction, improvement, maintenance, repair, operation and insurance of the project or medical project in connection with which such bonds shall have been authorized, and the custody, safeguarding and application of all moneys. It shall be lawful for any bank or trust company incorporated under the laws of the State which may act as depository of the proceeds of bonds or of revenues to furnish

such indemnifying bonds or to pledge such securities as may be required by the issuer. Any such trust agreement may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. In addition to the foregoing, any such trust agreement may contain such provisions as the issuer may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of any such trust agreement may be treated as a part of the cost of the operation of the project or medical project.

Sec. 10. Each bond issued under the provisions of this Act shall contain substantially the following language: "No pecuniary obligation is or may be imposed upon the issuer of this bond in the event there is a failure to pay all or part of the principal or interest thereon, except the issuer is obligated to apply rental income it receives from the project (or medical project) to such purposes."

Any agreement between a lessee and ultimate lessee relating to any project shall be for the benefit of the issuer as shall any agreement between the issuer and the lessee. Any such agreement shall contain a provision that, in the event of a default in the payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings, mortgage, or instrument such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such resolution, mortgage or instrument.

Any mortgage to secure bonds issued thereunder may also provide that, in the event of a default in the payment thereof or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed and sold under proceedings in equity or in any other manner now or hereafter permitted by law. Such mortgage may also provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor.

An issuer may grant a lessee or ultimate lessee an option to purchase all or any part of a project or medical project when all bonds of the issuer delivered to provide such facilities have been paid or provision has been made for their final payment, provided during the time the bonds or interest thereon remains unpaid there is no failure to pay the lease rentals at the time and in the manner as the same become due, provided a payment shall be deemed paid when and as due if no event of default is declared and the payment is made within 15 calendar days of the date it was scheduled to become due. The provisions of this law are procedurally exclusive for authority to convey or grant an option to purchase, and reference to no other law shall be required.

Sec. 11. No issuer may acquire or construct any project or medical project for any individual, firm, partnership, or corporation, or make or permit any lease to any individual, firm, partnership, or corporation where the effect of such lease shall be to remove lessee's business from existing facilities within the State of Texas.

Sec. 12. Except as limited by the provisions of this law or as limited by the rules, regulations and guidelines of the Commission, each governing body shall have full and complete authority with respect to bonds, lease agreements and the provisions thereof.

No bonds shall be approved by the Attorney General until the Commission has given final approval to the lease agreement, nor shall such bonds be approved if any authorizing proceedings or provisions for security and payment of lease payments are not in conformity with this law.

Sec. 13. All contracts for construction or purchases involving the expenditure of more than \$2,000 may be made only after advertising in the manner provided by Chapter 163, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 2368a, Vernon's Texas Civil Statutes). The provisions of Article 5160, Revised Civil Statutes of Texas, 1925, as amended, relating to performance and payment bonds, shall apply to construction contracts let by the issuer.

Bonds shall not be issued to acquire existing facilities for the purpose of

again leasing the same to the same industrial concern or one controlled by such industrial concern and it shall be the duty of the Commission to investigate such matters before giving its tentative approval of any project or medical project.

Sec. 14. In carrying out the purposes of this Act, the issuer will be performing an essential public function and any bonds issued by it and their transfer and the issuance therefrom, including any profits made in the sale thereof, shall at all times be free from taxation by the State or any municipality or political subdivision thereof.

Bonds issued under the provisions of this Act, and coupons (if any) representing interest thereon, shall when delivered be deemed and construed (i) to be a "Security" within the meaning of Chapter 8, Investment Securities, of the Uniform Commercial Code (Chapter 785, Acts of the 60th Legislature, Regular Session, 1967), and shall be exempt securities under the Texas Securities Act. A lease agreement under this Act shall not be a security within the meaning of the Texas Securities Act.

Sec. 15. Bonds approved by the Attorney General shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, and guardians, and for any sinking funds of cities, towns, villages, counties, school districts and other political corporations or subdivisions of the State of Texas. Such bonds shall be eligible to secure the deposit of any and all public funds of the State of Texas and any and all public funds of cities, towns, villages, counties, school districts and other political corporations or subdivisions of the State of Texas, and shall be lawful and sufficient security for said deposits at their face value when accompanied by all unmatured coupons, if any, appurtenant thereto.

Sec. 16. In the event any city, county, navigation district or other political subdivision, in the exercise of the power of relocation, or any other power, makes necessary the relocation, raising, lowering, rerouting, or changing the grade of, or altering the construction of any highway,

railroad, electric transmission line, telegraph or telephone properties and facilities, or pipelines, all such necessary relocation, raising, lowering, rerouting, changing of grade, or alteration of construction shall be accomplished at the sole expense of the city, county, navigation district or other political subdivision. The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, rerouting, or changing the grade of, or alteration of construction to provide comparable replacement, without enhancement, of such facilities, after deducting therefrom the net salvage value derived from the old facility.

Sec. 17. The Legislature hereby recognizes there is some confusion as to the proper qualifications of electors in the light of recent court decisions. It is the intention of this Act to provide a permitted procedure for an election to authorize the issuance of revenue bonds, but in each instance the authority shall be predicated upon the expression of the will of the majority of those who cast valid ballots at an election called for the purpose. Should the governing body calling an election determine that all qualified electors, including those who own taxable property which has been duly rendered for taxation, should be permitted to vote at an election (by reason of the aforesaid court decisions), nothing herein shall be construed as a limitation upon the power to call and hold an election, provided provision is made for the voting, tabulating, and counting of the ballots of the resident qualified property taxpaying electors who own taxable property which has been duly rendered for taxation separately from those who are qualified electors, and in any election so called a majority vote of the resident qualified property taxpaying voters who own taxable property which has been duly rendered for taxation and a majority vote of the qualified electors, including those who own taxable property which has been duly rendered for taxation, shall be required to sustain the proposition.

Sec. 18. It is hereby found, determined and declared:

(a) that the present and prospective health, safety, right to gainful employment and general welfare of the people of this State requires as

a public purpose the promotion and development of new and expanded industrial manufacturing, medical and research enterprises;

(b) that community industrial development corporations in Texas have themselves invested substantial funds in successful industrial development projects and experience difficulty in undertaking additional such projects by reason of the partial inadequacy of their own funds or funds potentially available from local subscription sources and by reason of limitations of local financial institutions in providing additional and sufficiently sizable first mortgage loans;

(c) that communities in this State are at a critical disadvantage in competing with communities in other states for the location or expansion of such enterprises by virtue of the availability and prevalent use in all other states of financing and other special incentives, therefore, the issuance of revenue bonds by political subdivisions of the State as hereinafter provided for the promotion of industrial development, employment, public health and research is hereby declared to be in the public interest and a public purpose.

This law shall be effective without the necessity of a constitutional amendment to the full extent permitted by present provisions of the Texas Constitution. With respect to the powers granted herein, any provision of this law which may be effective only as the result of a change in the Texas Constitution shall become effective upon the adoption of the amendment proposed by Senate Joint Resolution No. 33 in the 62nd Legislature, the Legislature recognizing such constitutional amendment may be required to enable districts to proceed under this law. In no event shall any appropriation be made by the Legislature to pay all or any part of the obligation of any issuer under the provisions of this Act, and any expenses incurred by the Commission shall be paid out of funds appropriated to that agency.

Sec. 19. Nothing in this Act shall be construed to violate any provision of the federal or State constitutions, and all acts done under this Act shall be in such manner as will conform thereto, whether expressly provided or not. Where any procedure hereunder may be held by any court to be violative

of either of such constitutions, the issuer shall have the power by resolution to provide an alternative procedure conformable with such constitutions. If any provision of this Act should be invalid, such fact shall not affect the validity of any other provisions of this Act, and the Legislature hereby declares that it would have enacted the valid provisions of this Act notwithstanding the invalidity of any other provision or provisions hereof.

Sec. 20. The fact that there is urgent need to provide for the authority to proceed in the promotion of industrial development and to provide medical facilities creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended; and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—29

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Sherman |
| Creighton | Snelson |
| Grover | Wallace |
| Hall | Watson |
| Harrington | Wilson |
| Harris | Word |
| Herring | |

Absent—Excused

Moore Schwartz

House Joint Resolution 57
on Second Reading

On motion of Senator Wilson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 57, Proposing an amendment to Article VIII, Constitu-

tion of the State of Texas, by adding a Section 6b to permit the commissioners court of a county to reduce the county permanent school fund and to provide for the per scholastic distribution and use of the money obtained from the reduction.

The resolution was read second time and passed to third reading.

House Joint Resolution 57
on Third Reading

Senator Wilson moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 57 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Nays—1

Creighton

Absent—Excused

Moore Schwartz

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

| | |
|-----------|------------|
| Aikin | Grover |
| Bates | Hall |
| Beckworth | Harrington |
| Bernal | Harris |
| Blanchard | Herring |
| Bridges | Hightower |
| Brooks | Jordan |
| Christie | Kennard |
| Connally | Kothmann |

| | |
|---------|---------|
| Mauzy | Snelson |
| McKool | Wallace |
| Patman | Watson |
| Ratliff | Wilson |
| Sherman | Word |

Nays—1

Creighton

Absent—Excused

Moore

Schwartz

House Bill 1692 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent, H. B. No. 1692 was ordered not printed.

Conference Committee on House Bill 955

Senator Kennard called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 955 and moved that the request be granted.

The motion prevailed.

The Presiding Officer asked if there were any motions to instruct the Conference Committee on H. B. No. 955 before appointment.

There were no motions offered.

Accordingly, the Presiding Officer announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Kennard, Brooks, Bernal, Jordan and Sherman.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 26, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 915, A bill to be entitled "An Act making it a felony to transport more than a certain amount of copper pipe, copper wire, or copper cable in certain situations, and prescribing the penalty for violation; etc.; and declaring an emergency."

H. C. R. No. 170, In memory of S. S. "Shack" Laird of Kilgore, Texas.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(President in Chair.)

Motion to Place House Bill 930 on Second Reading

Senator Bernal asked unanimous consent to suspend the regular order of business and take up H. B. No. 930 for consideration at this time.

There was objection.

Senator Bernal then moved to suspend the regular order of business and take up H. B. No. 930 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

| | |
|------------|----------|
| Beckworth | Kennard |
| Bernal | Kothmann |
| Brooks | Mauzy |
| Grover | McKool |
| Hall | Patman |
| Harrington | Snelson |
| Herring | Wallace |
| Hightower | Wilson |
| Jordan | |

Nays—9

| | |
|-----------|---------|
| Aikin | Ratliff |
| Bates | Sherman |
| Blanchard | Watson |
| Connally | Word |
| Creighton | |

Absent

| | |
|----------|--------|
| Bridges | Harris |
| Christie | |

Absent—Excused

| | |
|-------|----------|
| Moore | Schwartz |
|-------|----------|

Conference Committee Report on House Bill 955

Senator Kennard submitted the following Conference Committee Report:
Austin, Texas,
May 26, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on H. B. No. 955, have met and adjusted our differences and beg leave to recommend that House Bill No. 955 be passed in the form attached hereto.

Respectfully submitted,

SHANNON
SHERMAN
MONCRIEF
McKISSACK
SLACK

On the part of the House.

KENNARD
SHERMAN
BROOKS
JORDAN
BERNAL

On the part of the Senate.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—27

| | |
|------------|----------|
| Aikin | Jordan |
| Bates | Kennard |
| Beckworth | Kothmann |
| Bernal | Mauzy |
| Blanchard | McKool |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Sherman |
| Creighton | Snelson |
| Grover | Wallace |
| Hall | Watson |
| Harrington | Wilson |
| Herring | Word |
| Hightower | |

Absent

| | |
|---------|--------|
| Bridges | Harris |
|---------|--------|

Absent—Excused

| | |
|-------|----------|
| Moore | Schwartz |
|-------|----------|

Recess

On motion of Senator Aikin the Senate at 12:05 o'clock p.m. took recess until 1:45 o'clock p.m. today.

After Recess

The President Pro Tempore called the Senate to order at 1:45 o'clock p.m. today.

Motion in Writing

Senator Hall submitted the following Motion in Writing:

Hon. Ben Barnes, President of the Senate.

Dear Mr. President:

Notice is hereby given of the intent to hold a Local and Uncontested Calendar on Friday May 28, 1971, at 9:30 a.m.

HALL
Chairman,
Local and Uncontested
Calendar

The Motion in Writing was read and was adopted.

House Bill on First Reading

The following bill received from the House was read the first time and referred to the Committee indicated:

H. B. No. 1038, To Committee on State Departments and Institutions.

House Bill 322 on Second Reading

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 322, A bill to be entitled "An Act relating to permits issued by the Texas Air Control Board for construction, modification, expansion, or additions to industrial plants and facilities; etc.; and declaring an emergency."

The bill was read second time.

Senator Wallace offered the following Committee Amendment to the bill:

Amend House Bill 322 by striking out in Section 1 of the Bill all of the portion identified as "Section 1.03. Definitions," and substitute in lieu thereof the following:

"Section 1.03. DEFINITIONS. As used in this Act, unless the context requires a different definition:

"(1) 'air contamination' means particulate matter, dust, fumes, gas, mist, smoke, vapor or odor, or any combination thereof produced by processes other than natural;

"(2) 'source' means a point of origin of air contaminants, whether privately or publicly owned or operated;

"(3) 'air pollution' means the presence in the atmosphere of one or

more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation or property, or as to interfere with the normal use and enjoyment of animal life, vegetation or property;

"(4) 'board' means the Texas Air Control Board;

"(5) 'executive director' means the executive director of the Texas Air Control Board;

"(6) 'person' means individual, corporation, organization, government or governmental subdivision or agency, business trust, partnership, association, or any other legal entity; and

"(7) 'local government' means a county, an incorporated city or town; or a health district established under authority of Chapter 63, Acts of the 51st Legislature, 1949, as amended by Chapter 239, Acts of the 56th Legislature, 1959 (Article 4447a, Vernon's Texas Civil Statutes).

"(8) 'new source' means any stationary source, the construction or modification of which is commenced after the effective date of this statute.

"(9) 'modification' means any physical change in, or change in the method of operation of, a stationary source which increases the amount of any air pollutant emitted by such source into the atmosphere or which results in the emission of any air pollutant not previously emitted. Insignificant increases in the amount of any air pollutant emitted are not intended to be included, nor is maintenance or replacement of equipment components which do not increase or tend to increase the amount or change the characteristics of the air contaminants emitted to the atmosphere.

The Committee Amendment was read and was adopted.

Senator Wallace offered the following Committee Amendment to the bill:

Amend House Bill 322 by striking out in Section 2 of the Bill all of that portion identified as "Section 3.27. Construction Permit." and substitute in lieu thereof the following:

"Section 3.27. CONSTRUCTION PERMIT. (a) Any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this

State shall apply for and obtain a construction permit from the board before any actual work is begun on the facility. The board may exempt certain facilities or types of facilities from the requirements of Section 3.27 and Section 3.28 if it is found upon investigation that such facilities or types of facilities will not make a significant contribution of air contaminants to the atmosphere.

"(b) Along with the application for the permit, the person shall submit copies of all plans and specifications necessary for determining whether the proposed construction will comply with applicable air control standards and the intent of the Texas Clean Air Act, together with any other information which the board considers necessary.

"(c) If, from the information submitted under subsection (b) of this section, the board finds no indication that the proposed facility will contravene the intent of the Texas Clean Air Act, including proper consideration of land use, the board shall grant within a reasonable time a permit to construct or modify the facility. If the board finds that the emissions from the proposed facility will contravene these standards or will contravene the intent of the Texas Clean Air Act, it shall not grant the permit and shall set out in a report to the applicant its specific objections to the submitted plans of the proposed facility.

"(d) If the person applying for a permit makes the alterations in his plans and specifications to meet the specific objections of the board, the board shall grant the permit, but the board may refuse to accept new applications by a person until all previous objections of the board to the previously submitted plans of that person are rectified. If the person fails or refuses to alter the plans and specifications, the board shall refuse to grant the permit.

"(e) A permit granted under this section may be revoked by the board if the board later determines that any of the terms of the permit are being violated or that emissions from the proposed facility will contravene air pollution control standards set by the board or will contravene the intent of the Texas Clean Air Act.

"(f) The board or the executive director may seek an injunction in a court of competent jurisdiction to

halt work on a facility which is being done without a permit issued under this section or is in violation of the terms of a permit issued under this section."

"(g) The powers and duties set out in Section 3.27 and Section 3.28 may be delegated by the board to the executive director. The applicant may appeal to the board any decision made by the executive director under these sections.

"(h) Provided, however, that at the time this Act becomes effective no provision of this Act shall apply where any person, firm, partnership or corporation has let any contract, or begun any construction for any addition, alteration or modification to any new or existing facility. Any contracts under this subsection shall have a beginning construction date no later than six months after the effective date of this Act to qualify for this exemption."

The Committee Amendment was read and was adopted.

Senator Wallace offered the following Committee Amendment to the bill:

Amend House Bill 322 by striking out in Section 3 of the bill all that portion identified as "Section 3.28. Operating Permit." and substitute in lieu thereof the following:

"Section 3.28. OPERATING PERMIT. (a) If a permit to construct is issued, then within sixty days after the facility has begun operation, the person in charge of the facility shall apply for an operating permit. The board may require the submission of monitoring data to demonstrate compliance with applicable rules and regulations and with the Texas Clean Air Act in support of the application for an operating permit. If start-up or testing requires more than sixty days, this period may be extended by the board.

"(b) When all stipulations of the construction permit are met and the operation of the facility will not contravene air pollution control standards set by the board or will not contravene the intent of the Texas Clean Air Act, the board shall issue within a reasonable time the operating permit.

"(c) If the board determines that the operation of such a facility will contravene the air pollution control

standards set by the board or will contravene the intent of the Texas Clean Air Act it shall set out in a report to the applicant the specific objections which it finds to the facility and shall not grant the permit.

"(d) The board shall refuse to accept new applications by a person for an operating permit until all the previous objections to that facility submitted by the board are rectified.

"(e) A permit issued under this section may be revoked by the board if the board later determines that any of the terms of the permit are being violated or that omissions from the facility contravene air pollution control standards set by the board or contravene the intent of the Texas Clean Air Act.

"(f) The board or the executive director may seek an injunction in a court of competent jurisdiction to halt the operation of any facility which is operating without a permit issued under this section or which is operating in violation of the terms of a permit issued under this section."

The Committee Amendment was read and was adopted.

On motion of Senator Wallace and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 322 on Third Reading

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 322 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

| | |
|-----------|------------|
| Aikin | Harrington |
| Bates | Harris |
| Beckworth | Herring |
| Bernal | Hightower |
| Blanchard | Jordan |
| Bridges | Kennard |
| Brooks | Kothmann |
| Christie | Mauzy |
| Connally | McKool |
| Creighton | Patman |
| Grover | Ratliff |
| Hall | Sherman |

Snelson
Wallace
Watson

Wilson
Word

Absent—Excused

Moore

Schwartz

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Conference Committee on
Senate Bill 146**

The President Pro Tempore asked if there were any motions to instruct the Conference Committee on S. B. No. 146 before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment of the following conferees on the part of the Senate on the bill: Senators Mauzy, Blanchard, Wallace, Sherman and Word.

**House Concurrent Resolution 175 on
Second Reading**

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 175, Directing the Enrolling Clerk of the House to correct the caption and Section 1 of the enrolled copy of House Bill No. 1081.

The resolution was read.

On motion of Senator Patman and by unanimous consent, the resolution was considered immediately and was adopted by the following vote:

Yeas—29

Aikin
Bates
Beckworth
Bernal
Blanchard
Bridges
Brooks
Christie
Connally
Creighton
Grover
Hall
Harrington
Harris
Herring

Hightower
Jordan
Kennard
Kothmann
Mauzy
McKool
Patman
Ratliff
Sherman
Snelson
Wallace
Watson
Wilson
Word

Absent—Excused

Moore

Schwartz

**House Bills and Resolutions on
First Reading**

The following bills and resolutions received from the House were read the first time and referred to the Committees indicated:

H. J. R. No. 68, To Committee on Constitutional Amendments.

H. C. R. No. 154, To Committee on Administration.

H. C. R. No. 153, To Committee on Administration.

H. C. R. No. 136, To Committee on Administration.

H. B. No. 1824, To Committee on Water and Conservation.

H. B. No. 1316, To Committee on County, District and Urban Affairs.

H. C. R. No. 128, To Committee on Administration.

H. B. No. 605, To Committee on Parks and Wildlife.

H. B. No. 777, To Committee on Finance.

H. B. No. 897, To Committee on Water and Conservation.

H. B. No. 1265, To Committee on Banking.

H. B. No. 1491, To Committee on Water and Conservation.

H. B. No. 1642, To Committee on Water and Conservation.

H. B. No. 1687, To Committee on County, District and Urban Affairs.

H. B. No. 1695, To Committee on Water and Conservation.

H. B. No. 1833, To Committee on Water and Conservation.

H. B. No. 1835, To Committee on Water and Conservation.

H. B. No. 1863, To Committee on Water and Conservation.

H. C. R. No. 130, To Committee on Administration.

H. B. No. 1584, To Committee on Commerce and Industry.

H. B. No. 234, To Committee on Administration.

(Senator Snelson in Chair.)

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 1216.

H. B. No. 1848.

H. B. No. 1745.

H. B. No. 1683.

H. B. No. 318.

By unanimous consent, Senator Herring submitted the following reports for the Committee on Jurisprudence:

H. B. No. 1748 (Floor report).

S. C. R. No. 119.

By unanimous consent, Senator Watson submitted the following report for the Committee on Environment:

H. B. No. 727 (Floor report).

By unanimous consent, Senator Blanchard submitted the following report for the Committee on Insurance:

H. B. No. 694 (Floor report).

By unanimous consent, Senator Connally submitted the following report for the Committee on Parks and Wildlife:

H. B. No. 605.

By unanimous consent, Senator Ratliff submitted the following report for the Committee on Banking:

H. B. No. 1265 (Floor report).

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 920 (Floor report).

House Bill 1748 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, H. B. No. 1748 was ordered not printed.

House Bill 318 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, H. B. No. 318 was ordered not printed.

Senate Concurrent Resolution 119 Ordered Not Printed

On motion of Senator Jordan and by unanimous consent, S. C. R. No. 119 was ordered not printed.

(Senator Bates in Chair.)

Senate Concurrent Resolution 122

Senator Watson offered the following resolution:

S. C. R. No. 122, Memorializing Congress to see that the Secretary of Agriculture administers the farm program so that maximum benefits accrue to agricultural producers.

The resolution was read.

On motion of Senator Watson and by unanimous consent, the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 26, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1722, A bill to be entitled "An Act relating to the compensation of the District Attorney of the 105th Judicial District; amending Chapter 161, Acts of the 54th Legislature, 1955, as amended (Article 326k-29, Vernon's Texas Civil Statutes); and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 123

Senator Herring offered the following resolution:

S. C. R. No. 123, Recalling S. B. No. 902 from the Governor in order that certain corrections may be made.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 199 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 199, A bill to be entitled "An Act relating to the establishment, organization and control of the University of Houston at Clear Lake City; and declaring an emergency."

The bill was read second time.

Senator Brooks offered the following amendment to the bill:

Amend House Bill No. 199 by striking all of subsection (a), Section 4 and substituting in lieu thereof the following:

"(a) There is established a permanent advisory committee consisting of the president, or a representative designated by him, of each tax-supported junior college and community college now existing or hereafter established in Harris, Galveston, Fort Bend, Waller, Montgomery, Liberty, Chambers or Brazoria County."

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 199 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 199 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

| | |
|-----------|-----------|
| Aikin | Bernal |
| Bates | Blanchard |
| Beckworth | Bridges |

| | |
|------------|----------|
| Brooks | Kothmann |
| Christie | Mauzy |
| Grover | McKool |
| Hall | Patman |
| Harrington | Ratliff |
| Harris | Sherman |
| Herring | Snelson |
| Hightower | Wallace |
| Jordan | Watson |
| Kennard | Wilson |

Nays—1

Moore

Absent

| | |
|-----------|------|
| Connally | Word |
| Creighton | |

Absent—Excused

Schwartz

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 948 With House Amendments

Senator Watson called S. B. No. 948 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. B. No. 948 as follows:

(1) strike the words, in the quoted Section 3, "less than \$12,000 nor".

(2) renumber Sections 2 and 3 as Sections 3 and 4, respectively, and add a new Section 2 to read as follows:

"Section 2. Sections 1 and 2, Chapter 95, Acts of the 59th Legislature, Regular Session, 1965 (Article 2326j-39, Vernon's Texas Civil Statutes), are amended to read as follows:

"Section 1. The judge of the 146th and the judge of the 169th Judicial Districts of Texas, composed of Bell County, shall appoint an official shorthand reporter for his respective district in the manner now provided for district courts. The reporter shall have the qualifications and duties as provided by General Law.

"Section 2. (a) In addition to transcript fees, the official shorthand reporter shall receive an annual salary of not more than \$14,000 as authorized by the district judge and with the approval of the Commissioners Court of Bell County.

"(b) The salary shall be paid monthly out of the general fund, the jury fund, or any other fund available for the purpose as determined by the Commissioners Court of Bell County."

Committee Amendment No. 2

Amend S. B. No. 948 by striking all above the enacting clause and substituting the following:

A BILL TO BE ENTITLED

An Act relating to the compensation of official shorthand reporters for the 27th, 146th, and 169th Judicial Districts; amending Chapter 10, Acts of the 60th Legislature, Regular Session, 1967 (Article 2326j-54, Vernon's Texas Civil Statutes); amending Sections 1 and 2, Chapter 95, Acts of the 59th Legislature, Regular Session, 1965 (Article 2326j-39, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency."

The House amendments were read.

Senator Watson moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Moore |
| Christie | Patman |
| Connally | Ratliff |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Schwartz

(President Pro Tempore in Chair).

Conference Committee on House Bill 750

Senator Watson called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 750 and moved that the request be granted.

The motion prevailed.

The President Pro Tempore asked if there were any motions to instruct the Conference Committee on H. B. No. 750 before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Watson, Moore, Beckworth, Bates and Harrington.

House Bill 1207 on Second Reading

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1207, A bill to be entitled "An Act relating to the abolition of the office of county auditor in certain counties; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1207 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1207 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|-----------|------------|
| Aikin | Grover |
| Bates | Hall |
| Beckworth | Harrington |
| Bernal | Harris |
| Blanchard | Herring |
| Bridges | Hightower |
| Brooks | Jordan |
| Christie | Kennard |
| Connally | Kothmann |
| Creighton | Mauzy |

| | |
|---------|---------|
| McKool | Snelson |
| Moore | Wallace |
| Patman | Watson |
| Ratliff | Wilson |
| Sherman | Word |

Absent—Excused

Schwartz

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1016 on Second Reading

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1016, A bill to be entitled "An Act amending Statutes relating to the state mental hospital to which defendants shall be committed; relating to the reimbursement of a state mental hospital for charges incidental to psychiatric examinations; relating to the transfer of patients; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1016 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1016 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Moore |
| Christie | Patman |
| Connally | Ratliff |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Schwartz

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 992 on Second Reading

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 992, A bill to be entitled "An Act relating to the employer's liability and workmen's compensation laws of this state; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 992 on Third Reading

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 992 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Moore |
| Christie | Patman |
| Connally | Ratliff |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Schwartz

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 1722, To Committee on County, District and Urban Affairs.

House Joint Resolution 41 on Second Reading

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 41, Proposing an amendment to Article XVI, Section 61 of the Texas Constitution, to require the commissioners court in all counties of the state to compensate all justices of the peace on a salary basis beginning January 1, 1973.

The resolution was read second time and passed to third reading.

House Joint Resolution 41 on Third Reading

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 41 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Moore |
| Christie | Patman |
| Connally | Ratliff |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Schwartz

The President Pro Tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—30

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Moore |
| Christie | Patman |
| Connally | Ratliff |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |

Absent—Excused

Schwartz

House Joint Resolution 35 on Second Reading

Senator Wallace asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 35 for consideration at this time.

There was objection.

Senator Wallace then moved to suspend the regular order of business and take up H. J. R. No. 35 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

| | |
|------------|----------|
| Aikin | Kennard |
| Bates | Kothmann |
| Beckworth | Mauzy |
| Bernal | McKool |
| Bridges | Patman |
| Brooks | Ratliff |
| Christie | Sherman |
| Hall | Wallace |
| Harrington | Watson |
| Herring | Wilson |
| Hightower | Word |
| Jordan | |

Nays—7

| | |
|-----------|-----------|
| Blanchard | Creighton |
| Connally | Grover |

Harris
Moore

Snelson

Absent—Excused

Schwartz

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. J. R. No. 35, Proposing an amendment to Section 2, Article VIII, Constitution of the State of Texas, authorizing the Legislature to provide a tax exemption for certain property owned by a disabled veteran and the surviving spouse and minor children of a disabled veteran.

The resolution was read second time and passed to third reading.

**Motion to Place
House Joint Resolution 35
on Third Reading**

Senator Wallace moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 35 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—23

| | |
|------------|----------|
| Aikin | Kennard |
| Bates | Kothmann |
| Beckworth | Mauzy |
| Bernal | McKool |
| Bridges | Patman |
| Brooks | Ratliff |
| Christie | Sherman |
| Hall | Wallace |
| Harrington | Watson |
| Herring | Wilson |
| Hightower | Word |
| Jordan | |

Nays—7

| | |
|-----------|---------|
| Blanchard | Harris |
| Connally | Moore |
| Creighton | Snelson |
| Grover | |

Absent—Excused

Schwartz

**House Joint Resolution 82
on Second Reading**

On motion of Senator Kennard and by unanimous consent, the regular or-

der of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 82, Proposing an amendment to Article III, Constitution of the State of Texas, by adding a new section which would set an amount not to exceed 6% on rates of interest to be borne by bonds issued pursuant to constitutional authority.

The resolution was read second time.

Senator Kennard offered the following amendment to the resolution:

Amend H. J. R. 82 by striking all below the resolving clause and substituting in lieu thereof the following:

"Section 1. That Article III, Constitution of the State of Texas, be amended by adding a new Section 65 to read as follows:

"Section 65. All other provisions of the Constitution notwithstanding, bonds issued pursuant to constitutional authority shall bear rates of interest in an amount not to exceed 6% weighted average annual interest rate. All Constitutional provisions setting rates in conflict with this provision are hereby repealed. Should the Legislature enact any enabling laws in anticipation of this amendment, no such law shall be void by reason of its anticipatory nature.

"This amendment shall become effective upon its adoption.

"Section 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this state at the general election to be held on the second Tuesday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition: 'The constitutional amendment to set an amount not to exceed an average annual weighted interest rate of 6% on rates of interest to be borne by bonds issued pursuant to constitutional authority.'

The amendment was read and was adopted.

Senator Kennard offered the following amendment to the resolution:

Amend H. J. R. 82 by striking all above the resolving clause and substituting in lieu thereof the following:

"A JOINT RESOLUTION

proposing an amendment to Article III, Constitution of the State of Texas, by adding a new section which would set an amount not to exceed 6% weighted average annual interest rate to be borne by bonds issued pursuant to constitutional authority, and providing that enabling legislation in anticipation of the passage of this constitutional amendment shall not be void by reason of its anticipatory nature."

The amendment was read and was adopted.

The resolution as amended was passed to third reading.

Record of Vote

Senator Mauzy asked to be recorded as voting "Nay" on the passage of the resolution to third reading.

**House Joint Resolution 82
on Third Reading**

Senator Kennard moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 82 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Connally | Ratliff |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Word |
| Herring | |

Nays—1

Mauzy

Absent

Christie Wilson

Absent—Excused

Schwartz

The President Pro Tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—29

| | |
|------------|-----------|
| Aikin | Hightower |
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | McKool |
| Bridges | Moore |
| Brooks | Patman |
| Christie | Ratliff |
| Connally | Sherman |
| Creighton | Snelson |
| Grover | Wallace |
| Hall | Watson |
| Harrington | Wilson |
| Harris | Word |
| Herring | |

Nays—1

Mauzy

Absent—Excused

Schwartz

(President in Chair.)

Senate Resolution 1366

Senator Herring offered the following resolution:

Whereas, It is a distinct privilege for the Texas Senate to congratulate the newly elected and installed Mayor and Members of the City Council of Austin, Texas; and

Whereas, The City of Austin is beginning a new era under the new leadership of Mayor Roy Butler, Mayor Pro Tem Dan Love, Berl L. Handcox, Dr. S. H. "Bud" Dryden, Lowell H. Lebermann, Jeff M. Friedman and Dick Nichols; and

Whereas, The election of new leadership for the City of Austin has gained statewide attention, as Texans from the entire State share a personal interest and concern for the progress of the Capital City of Texas; and

Whereas, It is the desire of Members of the Senate to express our anticipation in establishing a harmonious relationship with this new City Council under the able leadership of Mayor Roy Butler, which will result in a cooperative effort for the benefit

of the City of Austin as well as the State of Texas; and

Whereas, The broad spectrum of leadership inherent in the new council make it a truly representative governing body for the entire city; the citizens of Austin are to be commended on their choice of this roster of qualified men to lead this great City to an even higher level of progress and growth; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature congratulate Mayor Roy Butler and Mayor Pro Tem Dan Love, and Councilmen Berl L. Handcox, Dr. S. H. "Bud" Dryden, Lowell H. Lebermann, Jeff M. Friedman and Dick Nichols for the trust and confidence that Austin citizens have placed in them in electing them to the highest positions of leadership in the City government; and be it further

Resolved, That copies of this Resolution be prepared for them as an expression of our pleasure in welcoming them to their new positions of leadership in our Capital City.

The resolution was read and was adopted.

The President recognized Senator Herring, who introduced as guests of the Senate today three members of the newly elected Austin City Council and requested permission that they proceed to the President's Rostrum.

There was no objection offered.

Senator Herring then presented Mayor Roy Butler, Councilman Dick Nichols and Councilman S. H. "Bud" Dryden, City Manager Lynn Andrews and Assistant City Manager Don Davidson.

Senator Herring then requested Mayor Butler to address the Senate.

Mayor Butler then addressed the Senate as follows:

"Governor Barnes and Distinguished Members of the Texas Senate:

"To our knowledge, this is the first time the Texas Legislature has honored the Austin City Council in this manner. We are certainly pleased at the opportunity to meet with you and give our support to the important job you are performing for our State.

"There are approximately 17,000 state employees in Austin. Over \$600,000,000 will be spent in Travis

County during the next biennium because of state appropriations and there have been almost 100,000 visitors in this beautiful building this year who were also guests of our town. There are 274 professional and business associations located here mainly because Austin is the Capital City.

"As I was talking to Governor Barnes and Senator Herring the other day, we were remarking about the close feeling of friendship and cooperation which needs to be manifest in greater degree between the Legislature and the city government.

"Ours is a new City Council which is looking forward to a new era in city government. We want to give the leadership which will be responsive to the needs of our citizens and which will look forward to the needs of the future.

"And we want to create a new era in relations with you. A feeling which reflects our motto "The Friendly City" and a concern for the important task you perform while you are here.

"Thank you, Governor Barnes and Senator Herring, and individually each of the Members of the Senate."

The Members of the Senate gave Mayor Butler a standing ovation.

The President expressed appreciation to Mayor Butler and the other councilmen for their presence and for making the Members of the Legislature a part of the City of Austin.

Remarks of Mayor Butler Ordered Printed in Senate Journal

On motion of Senator Blanchard and by unanimous consent, the remarks of Mayor Roy Butler were ordered printed in the Senate Journal.

(President Pro Tempore in Chair.)

House Bill 909 on Second Reading

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 909, A bill to be entitled "An Act relating to discriminatory action by state or local government officers or employees; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 909 on Third Reading

Senator Mauzy moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 909 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

| | |
|------------|----------|
| Bates | Jordan |
| Beckworth | Kennard |
| Bernal | Kothmann |
| Blanchard | Mauzy |
| Bridges | McKool |
| Brooks | Moore |
| Christie | Patman |
| Connally | Ratliff |
| Creighton | Sherman |
| Grover | Snelson |
| Hall | Wallace |
| Harrington | Watson |
| Harris | Wilson |
| Herring | Word |
| Hightower | |

Nays—1

Aikin

Absent—Excused

Schwartz

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Aikin asked to be recorded as voting "Nay" on the final passage of the bill.

At Ease

The President Pro Tempore announced at 3:15 o'clock p.m. that the Senate would stand At Ease subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 3:20 o'clock p.m. today.

Recess

On motion of Senator Blanchard the Senate at 3:21 o'clock p.m. took recess until 4:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 4:30 o'clock p.m. today.

Reports of Standing Committees

By unanimous consent, Senator Mauzy submitted the following report for the Committee on Education:

H. B. No. 548 (Floor report).

By unanimous consent, Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 1695.

H. B. No. 1809.

H. B. No. 1769.

H. B. No. 1768.

H. B. No. 1737.

H. B. No. 1736.

H. B. No. 1735.

H. B. No. 1710.

H. B. No. 1701.

H. B. No. 1613.

H. B. No. 1612.

H. B. No. 1611.

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 1682 (Floor report).

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 26, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 1884, A bill to be entitled "An Act creating Delta County Municipal Utility District, a conservation district, under Article XVI, Section 59 of the Texas Constitution, comprising the territory contained in Delta County, Texas; etc.; and declaring an emergency."

S. B. No. 362, A bill to be entitled "An Act providing for the regulation

by the State Department of Health of certain commercial transactions involving hazardous substances; providing a penalty for violations; and declaring an emergency."

(With amendment.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives
House Bill 1695 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. B. No. 1695 was ordered not printed.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 163.

H. C. R. No. 167.

H. C. R. No. 168.

H. C. R. No. 161.

H. C. R. No. 150.

H. C. R. No. 160.

H. B. No. 22.

H. C. R. No. 61.

H. B. No. 439.

H. B. No. 460.

H. B. No. 591.

H. B. No. 1161.

H. B. No. 1606.

H. B. No. 1714.

H. B. No. 1618.

S. B. No. 915.

S. B. No. 718.

S. B. No. 172.

S. B. No. 951.

S. C. R. No. 105.

S. C. R. No. 107.

S. C. R. No. 104.

S. C. R. No. 109.

S. C. R. No. 106.

S. C. R. No. 102.

S. C. R. No. 110.

Memorial Resolutions

H. C. R. No. 169—Memorial resolution for Neal Clark.

H. C. R. No. 170—Memorial resolution for S. S. "Shack" Laird.

S. R. No. 1371—By Senator Watson: Memorial resolution for Rufus Virgil Mahan.

S. R. No. 1372—By Senator Watson: Memorial resolution for W. C. David.

S. R. No. 1373—By Senator Watson: Memorial resolution for Marcus Nathaniel Stricker.

S. R. No. 1374—By Senator Watson: Memorial resolution for Samuel D. Jones.

S. R. No. 1375—By Senator Watson: Memorial resolution for The Reverend Leonard O. McCracken.

S. R. No. 1376—By Senator Watson: Memorial resolution for The Honorable J. W. Thomas, Sr.

S. R. No. 1377—By Senators Watson and Word: Memorial resolution for R. R. Sulak.

Welcome and Congratulatory Resolutions

H. C. R. No. 172—Extending commendation to Mrs. E. D. (Savannah Cross) Lockey.

H. C. R. No. 171—Granting permission to Southwest Region Council of YMCAs for use of the Capitol.

S. R. No. 1363—By Senator McKool: Expressing gratitude to Mrs. Doris Cheatham for her service in the field of education.

S. R. No. 1364—By Senator Mauzy: Extending congratulations to Mr. and Mrs. Clifford James Word on the birth of quadruplets.

S. R. No. 1367—By Senator Blanchard: Extending welcome to Max Karl, et al.

S. R. No. 1368—By Senator Hightower: Extending appreciation to Randy Lightfoot for his athletic accomplishments.

S. R. No. 1369—By Senator Harris and S. R. No. 1380—By Senator

Mauzy: Extending congratulations to Robert Medrano on the receipt of his Master of Arts degree.

S. R. No. 1370—By Senator Watson: Extending congratulations to Miss Terry Reed Goodman on her service to the State of Texas.

S. R. No. 1378—By Senator Watson: Extending welcome to Elwood Wake.

S. R. No. 1379—By Senator Watson: Extending welcome to Ray Noble.

S. R. No. 1381—By Senators Harrington and Brooks: Extending congratulations and best wishes to Kathy Sehrt and Phil Richey on their marriage.

S. R. No. 1382—By Senator Wilson: Extending congratulations to Miss Alleen Carraway and H. L. Reed on their selection as Outstanding Senior Citizens of Navarro County for 1971.

S. R. No. 1383—By Senator Wilson: Extending congratulations to Paul R. Kramer on his selection as Outstanding Forester of Texas for 1971.

S. R. No. 1384—By Senator Wilson: Extending congratulations to Specialist Four Billy E. Oliver on receipt of Bronze Star Medal.

S. R. No. 1385—By Senator Wilson: Extending congratulations to Jacksonville High School Band for its performance in Interscholastic League contest.

Adjournment

On motion of Senator Creighton the Senate at 4:32 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 26, 1971

S. C. R. No. 117.

S. C. R. No. 115.

S. B. No. 294.

S. B. No. 727.

S. B. No. 911.

S. B. No. 835.

S. B. No. 811.

S. B. No. 529.

S. B. No. 189.

S. B. No. 561.

S. B. No. 4.

S. B. No. 607.

S. B. No. 535.

S. B. No. 1026.

S. B. No. 1025.

S. B. No. 397.

S. B. No. 703.

S. B. No. 967.

S. B. No. 557.

S. B. No. 620.

S. B. No. 919.

S. B. No. 928.

S. B. No. 460.

S. B. No. 941.

S. B. No. 337.

S. B. No. 942.

S. B. No. 43.

S. B. No. 369.

S. C. R. No. 89.

S. B. No. 915.

S. B. No. 718.

S. B. No. 172.

S. B. No. 951.

S. C. R. No. 105.

S. C. R. No. 107.

S. C. R. No. 104.

S. C. R. No. 109.

S. C. R. No. 106.

S. C. R. No. 102.

S. C. R. No. 110.